

SYNNESTVEDT & LECHNER LLP RESPONSE TO OFFICE ACTION
DATED SEPTEMBER 22, 2005

Appln. No. 09/490,268

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November 9, 2005

REMARKS

This is in response to the Office Action dated September 22, 2005. Reconsideration is respectfully requested.

Summary of Claim Rejections

Claims 33-39 and 60 are pending in the application. Claims 33-35 are rejected as anticipated by U.S. Patent No. 5,570,554 to Searer. Claims 36, 37 and 60 are rejected as obvious over Searer. Claims 38 and 39 are rejected as obvious over Searer in view of U.S. Patent No. 6,606,834 to Martensson et al. Claim 37 is rejected under 35 USC 112, second paragraph, as being indefinite.

Summary of Claim Objections

Claim 36 is objected to because it depends upon a canceled claim.

Summary of Interview

Applicant thanks the Examiner and her Supervisor for the interview granted on the November 8, 2005. Claims 33, 60 and 37 were discussed at the interview along with U.S. Patent No. 5,570,554 to Searer.

Applicant agreed to cancel Claim 37 and present new Claim 62 in independent form as a combination claim to overcome the rejection as to indefiniteness.

Applicant also presented arguments traversing the rejection of Claim 33 as anticipated by Searer. Applicant argued that Searer did not support the rejection because, contrary to the Examiner's assertion, the first flange (40) does not engage the rear leg (18) and the second flange (40) does not remain in spaced apart relation from the front leg (32) as recited in Claim 33. In support of his arguments,

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applicant cited Figures 2-5 of Searer. The reason for the recited configuration is that it reduces the bending moments experienced by any fasteners caused by inertial loads on the panels during acceleration or deceleration of the elevator, thereby making the attachment of the panels more robust. Page 16, lines 2-22, provide further detail.

Both the Examiner and her Supervisor agreed with applicant's arguments that Claim 33, as presented, distinguishes over Searer. The Examiner and Supervisor further agreed that Searer did not support a rejection of Claim 60 for the same reasons.

Rejections of Dependent Claims

All of the rejections are based upon Searer, which applicant has shown does not anticipate or render obvious independent Claim 33. Claims 34-36, 38 and 39 depend, either directly or indirectly, upon Claim 33 and should be allowable over the cited references for the same reasons that Claim 33 is allowable.

Summary of Claim Amendments

Claim 36 has been amended to depend upon Claim 33. Claim 37 has been canceled and rewritten as new Claim 62 in independent form to clarify that a combination of the panel assembly and an elevator is being claimed to overcome the indefiniteness rejection. Support for new Claim 62 may be found on page 1, line 7, and in Figure 1.

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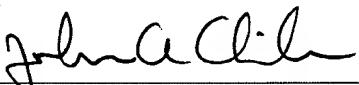
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Summary

Applicant has demonstrated in the arguments presented in the interview and reiterated above that the cited references do not support a rejection of any claims. Applicant contends that the application is therefore in condition for allowance and requests that it be passed to issue.

Respectfully submitted,

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